

REMARKS

Claims 3 and 7-10 have been withdrawn, claim 4 has been cancelled, and claims 11-13 have been added. Accordingly, claims 1, 2, 5, 6 and 11-13 are at issue.

Further, a terminal disclaimer with respect to U.S. Patent No. 6,848,268 is submitted herewith.

Claim 2 has been objected to as being in dependent form, and otherwise has been rejected only based on double patenting. Claim 2 has been rewritten in independent form (incorporating the limitations of base claim 1). Accordingly, in further view of the terminal disclaimer, claim 2 should now be in agreed allowable form.

Further, new claims 11-13, which depend from claim 2 (and which otherwise correspond to original dependent claims 4-6), should also be allowable.

Claim 1 has been amended to incorporate the limitations of claim 4, as well as to further define the invention set forth therein. Claim 4 stands rejected only under 35 U.S.C. § 102(b) as anticipated by Cahenzli, Jr. U.S. Patent No. 2,530,648.

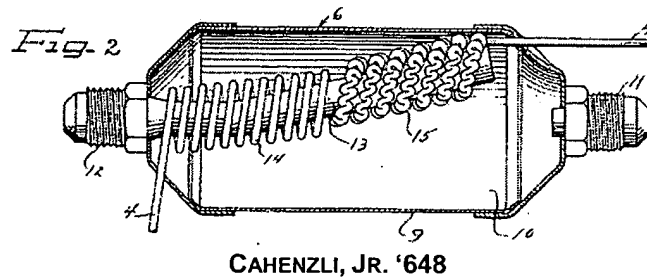
As amended, claim 1 now specifically recites not only the accumulator, but also that the suction line first straight cylindrical portion outputs gaseous refrigerant to the accumulator and the second straight cylindrical portion receives gaseous refrigerant from the accumulator.

The Office Action cited Cahenzli, Jr. as showing:

“an accumulator 6 (or at least a portion thereof) disposed between the first and second cylindrical portions of the suction line or pipe 13, the latter limitation as broadly interpreted as required in a pending claim.”

Specifically, as interpreted in the Office Action, the two portions of a suction line are found only as two parts of a single pipe 13:

"first and second cylindrical portions connected in series (such as the first or right hand portion and the second or left hand side portion of pipe 13 as shown in Figure 2)"



To clearly distinguish from the single pipe structure of Cahenzli, Jr., the claim has been amended so that it not only specifies that the accumulator is between the two line portions, but also, as already noted, that the first portion outputs gaseous refrigerant to the accumulator and the second portion receives gaseous refrigerant from the accumulator. Such a configuration is not possible with a continuous single pipe structure (and certainly does not occur in the location of the pipe 13 between the helically wound portions 14, 15 of Cahenzli, Jr., which is where it would need to occur according to the further recitations of claim 1) and thus not even the broadest reading of this language would include a structure such as disclosed in Cahenzli, Jr. Thus, the claim language of amended claim 1 (incorporating claim 4) clearly distinguishes from the otherwise clearly different structure of Cahenzli, Jr., and therefore should be allowable.

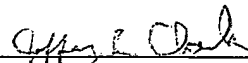
Claims 5 and 6, which depend from claim 1, should therefore also be allowable.

As detailed above, claims 1, 2, 5, 6 and 11-13 are believed to clearly be in condition for allowance. Early notification to that effect is respectfully requested.

Respectfully submitted,

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